

## (Caption of Case)

IN RE: South Carolina Energy Freedom Act (H.3659)  
 Proceeding to Establish Duke Energy Progress, LLC's  
 Standard Offer, Avoided Cost Methodologies, Form  
 Contract Power Purchase Agreements, Commitment to  
 Sell Forms, and Any Other Terms or Conditions  
 Necessary (Includes Small Power Producers as  
 Defined in 16 United States Code 796, as Amended) -  
 S.C. Code Ann. Section 58-41-20(A)

BEFORE THE  
 PUBLIC SERVICE COMMISSION  
 OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
 NUMBER: **2019** - **186** - **E**

(Please type or print)

Submitted by: Stephanie U. EatonSC Bar Number: 80073Address: 110 Oakwood Drive, Suite 500Telephone: 336.631.1062Winston-Salem, NC 27103Fax: 336.725.4476

Other: \_\_\_\_\_

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

July 30, 2019

The Honorable Jocelyn G. Boyd  
Chief Clerk/Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

**Via SCPSC E-FILING DMS**

**Re: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A); Docket No. 2019-186-E**

Dear Ms. Boyd:

Please find attached for electronic filing with the South Carolina Public Service Commission a copy of the Petition to Intervene of Walmart Inc., in the above-referenced case. By copy of this letter, I am serving all parties of record via electronic mail and/or first-class mail.

Please contact us if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Stephanie U. Eaton  
(SC Bar No. 80073)

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*Counsel to Walmart Inc.*

SUE/sds  
Attachments  
c: Certificate of Service

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2019-186-E

IN RE: South Carolina Energy Freedom Act	)	
(H.3659) Proceeding to Establish Duke Energy	)	
Progress, LLC's Standard Offer, Avoided Cost	)	
Methodologies, Form Contract Power	)	
Purchase Agreements, Commitment to Sell	)	<b>PETITION TO INTERVENE OF</b>
Forms, and Any Other Terms or Conditions	)	<b>WALMART INC.</b>
Necessary (Includes Small Power Producers as	)	
Defined in 16 United States Code 796, as	)	
Amended) - S.C. Code Ann. Section 58-41-	)	
20(A)	)	

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Pursuant to Rule 103-825 and other applicable rules and regulations of the South Carolina Public Service Commission ("Commission"), Walmart Inc. ("Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Petition to Intervene, Walmart submits as follows:

1. On May 30, 2019, the Commission initiated this proceeding to establish Duke Energy Progress, LLC's ("DEP" or "Company") "standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section," pursuant S.C. Code Ann. § 58-41-20(A).

2. Walmart is a global retailer of goods and services and also operates throughout the United States. Walmart's principal energy management office is located at 2001 SE 10<sup>th</sup> Street, Bentonville, AR 72716-5530.

3. Walmart has the privilege of providing its retail services throughout the State of South Carolina, operating 128 facilities, including 84 Supercenters, four Distribution Centers, 27

Neighborhood Markets, and 13 Sam's Clubs.<sup>1</sup> Within the DEP service territory, Walmart is a large commercial customer, purchasing approximately 41 million kWh annually, and operating 13 retail stores and facilities, including Walmart Supercenters, Sam's Clubs, and gas stations. Electricity is one of the largest operating costs faced by Walmart. As such, Walmart has a direct and substantial interest in the outcome of this proceeding.

4. In addition, Walmart has a substantial interest in the development and use of renewable energy in South Carolina as it has established aggressive and significant company-wide renewable energy goals, including: (a) to be supplied 50 percent by renewable energy by 2025, and, ultimately, (b) to be supplied 100% by renewable energy.<sup>2</sup>

5. Walmart has a direct and substantial interest in the outcome of this proceeding. In addition, as a large commercial customer that purchases substantial amounts of electricity and related services from DEP pursuant to multiple accounts at multiple locations, Walmart has an interest in this proceeding that is not represented by any other party.

6. The attorneys representing Walmart in this proceeding are:

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 Carrie Harris Grundmann  
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Ms. Eaton is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson and Ms. Grundmann be added

<sup>1</sup> <https://corporate.walmart.com/our-story/our-locations#/united-states/south-carolina>

<sup>2</sup> <https://corporate.walmart.com/global-responsibility/environmental-sustainability>


to the service list as Walmart may seek Mr. Williamson's and/or Ms. Grundmann's admission to appear before the Commission *pro hac vice* in the near future.

5. This Petition to Intervene is timely filed as the Commission has not yet established an intervention deadline.

**WHEREFORE**, Walmart Inc., respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

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*Counsel to Walmart Inc.*

Dated: July 30, 2019

ELECTRONICALLY FILED - 2019 July 30 4:33 PM - SCPSC - Docket # 2019-186-E - Page 6 of 7

## CERTIFICATE OF SERVICE

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Dated: July 30, 2019